

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
IN RE TREMONT SECURITIES LAW, STATE	Master File No.
LAW AND INSURANCE LITIGATION	: 08 Civ. 11117 (TPG)

This Document Relates to:	:
INSURANCE ACTION, 09 Civ. 557 (TPG),	:
and specifically to:	:
F. DANIEL PRICKETT,	:
	: 09 Civ. 3137 (TPG)
Plaintiff,	:
	: ECF CASE
- against -	: Electronically Filed
	:
NEW YORK LIFE INSURANCE COMPANY,	: <u>NOTICE OF MOTION</u>
et al.,	:
	:
Defendants.	:
----- X	

PLEASE TAKE NOTICE that, upon the Amended Complaint, the accompanying memorandum of law, the Declaration of Jason C. Vigna, dated March 1, 2012, and the exhibits thereto, and all prior papers and proceedings herein, defendants Tremont Group Holdings, Inc., Tremont Partners, Inc., Tremont (Bermuda) Limited, Tremont Capital Management, Inc. and Rye Investment Management will move this Court, before the Honorable Thomas P. Griesa, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order: (i) dismissing the Amended Complaint pursuant to Rules 9(b), 12(b)(1) and 12(b)(6)

of the Federal Rules of Civil Procedure; and (ii) for such other and further relief as this Court may deem just and proper.

Dated: New York, New York
March 1, 2012

Respectfully submitted,

/s/ Seth M. Schwartz

Seth M. Schwartz (Seth.Schwartz@Skadden.com)

Jason C. Vigna (Jason.Vigna@Skadden.com)

SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP

Four Times Square

New York, New York 10036

(212) 735-3000

Attorneys for Defendants

Tremont Group Holdings, Inc.,

Tremont Partners, Inc.,

Tremont (Bermuda) Limited,

Tremont Capital Management, Inc. and

Rye Investment Management